

REMARKS

In the November 12, 2009 Office Action, claims 27-29, 31-42, and 44-52 were rejected in view of the prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the November 12, 2009 Office Action, Applicant has cancelled claims 34 and 47 and amended independent claims 27 and 40 as indicated above. Also, Applicant has amended claims 35-37 and 48-50 to provide correct dependency. Thus, claims 27-29, 31-33, 35-42, 44-46, and 48-52 are pending, with claims 27 and 40 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Rejections - 35 U.S.C. § 103

In numbered item 3 of the Office Action, claims 27-29, 31-33, 38, 39, 40-42, 44-46, (apparently 51 also since claim 51 recites similar limitation as claim 38), and 52 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kamiya (JP 08-269367) in view of Mizutani (U.S. Patent No. 6,013,724). In numbered item 10 of the Office Action, claims 34-37 and 47-50 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kamiya in view of Mizutani and further in view of Lever (U.S. Patent No. 5,079,087). In response, Applicant has amended independent claims 27 and 40 as shown above.

Specifically, independent claims 27 and 40 now recite ***a plate material or a method thereof having a plate substrate, a substrate coating on the plate substrate, and a hydrophilic coating on the substrate coating, particularly in this order***. Applicant respectfully asserts that this arrangement is ***not*** disclosed by Kamiya, Mizutani, or Lever. Applicant further respectfully asserts that ***none*** of the references has any teachings or suggestions of the arrangement that is now recited in the amended independent claims.

More specifically, independent claims 27 and 40 recite the layer structure that is formed on the plate substrate that ***the substrate coating is contacting both the plate substrate and the hydrophilic coating*** by being sandwiched thereof. As previously mentioned, this structure, in terms of the components as well as the order of the layer, is not disclosed, suggested, or taught by any of the references.

Also, as recited in independent claims 27 and 40, the substrate coating includes specifically alcohol, the hydrophilic coating, which has a polarity, shows a good coherence with the alcohol-containing substrate coating. Hence, the alcohol in the substrate coating achieves good coherences not only with the plate substrate but also with the hydrophilic coating.

It is well settled in U.S. patent law, the mere fact that the prior art can be modified does not make the modification obvious, unless an apparent reason exists based on evidence in the record or scientific reasoning for one of ordinary skill in the art to make the modification. See, KSR Int'l Co. v. Teleflex Inc., 127 S.Ct. 1727, 1741 (2007). The KSR Court noted that obviousness cannot be proven merely by showing that the elements of a claimed device were known in the prior art; it must be shown that those of ordinary skill in the art would have had some "apparent reason to combine the known elements in the fashion claimed." Id. at 1741. *The current record lacks any apparent reason, suggestion or expectation of success for combining the references to create the Applicant's unique arrangement of the plate material and the manufacturing method thereof.*

Moreover, Applicant believes that the dependent claims 28, 29, 31-33, 35-39, 41, 42, 44-46, and 48-52 are also allowable over the prior art of record in that they depend from independent claim 27 or 40, and therefore are allowable for the reasons stated above. Also, the dependent claims 28, 29, 31-33, 35-39, 41, 42, 44-46, and 48-52 are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not disclose or suggest the invention as set forth in independent claim 27 and 40, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Applicant respectfully requests withdrawal of the rejections.

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Reply to Office Action of November 12, 2009
Amendment dated February 26, 2010

Conclusion

In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 27-29, 31-33, 35-42, 44-46, and 48-52 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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